

## IN THE CLAIMS

Please amend the claims as follows:

1. (Currently amended) A method for estimating a length of time required to download one or more application programs onto a wireless device over a wireless network, said method comprising operations of:

the wireless device ~~receiving~~ ~~exchanging~~ one or more data files ~~from~~ ~~with~~ a server, said data files including at least information representing a size of the one or more application programs available for downloading onto the wireless device;

during the ~~receiving~~, ~~exchanging~~, the server measuring one or more data transfer rates for the exchanging operation;

receiving user input of one or more application programs to download;

at least one of the server and wireless device:

utilizing the one or more measured data transfer rates and the size of the selected one or more application programs to estimate a length of time required to download the one or more application programs onto the wireless device; and

the wireless device providing an quantitative output of the estimated time.

2. (Currently amended) The method of claim 1, the ~~receiving~~ ~~exchanging~~ operation comprising:

the wireless device sending one or more requests to the server to obtain the data files from the server.

3. (Currently amended) The method of claim 1, ~~the exchanging operation comprising:~~ wherein the data files contain ~~containing~~ information describing the one or more application programs available for download onto the wireless device.

4. (Currently amended) The method of claim 1, the ~~receiving~~ ~~exchanging~~ operation comprising:

the server transmitting the application programs for download onto the wireless device in response to operation of the wireless device to purchase the one or more application programs.

5 (Canceled).

6. (Original) The method of claim 1, the measuring operation comprising operations of:  
the wireless device notifying the server immediately upon completion of the downloading of each of the one or more data files; and  
in response, the server dividing a size of each of the one or more data files by a length of time between the server sending each data file to the wireless device, and the wireless device notifying the server of the completed download.

7. (Currently amended) The method of claim 1, the utilizing operation comprising operations of:

calculating an average data transfer rate by averaging ~~each~~ ~~all of the measured~~ ~~calculated~~ data transfer rate[[s]]; and

dividing the size of each of the one or more selected application programs by the average data transfer rate.

8. (Currently amended) The method of claim 1, the utilizing operation comprising operations of:

calculating a weighted data transfer rate by averaging ~~each~~ ~~all of the measured~~ ~~calculated~~ data transfer rate[[s]], giving more weight to the data transfer rates calculated closer in time to the operation of the wireless device to select the one or more application programs for download; and

dividing the size of each of the one or more selected application programs by the weighted data transfer rate.

9. (Currently amended) The method of claim 1, the utilizing operation comprising operations of:

calculating a moving data transfer rate by averaging ~~each the measured~~ calculated data transfer rates for a period of time immediately preceding the operation of the wireless device to select the one or more application programs for download; and

dividing the size of each of the one or more selected application programs by the moving data transfer rate.

10. (Currently amended) The method of claim 1, the utilizing operation comprising operations of:

calculating a moving weighted data transfer rate by averaging ~~each measured the~~ calculated data transfer rates for a period of time immediately preceding the operation of the wireless device to select the one or more application programs for download and giving more weight to the calculated data transfer rates closer in time to the operation of the wireless device to select the one or more application programs for download; and

dividing the size of each of the one or more selected application programs by the moving weighted data transfer rate.

11-19. (Canceled)

20. (Currently amended) An information exchange system comprising:

one or more wireless devices programmed to perform operations over a wireless network comprising:

~~receiving~~ ~~exchanging~~ one or more data files ~~from~~ ~~with~~ a server, said data files including at least information representing a size of one or more application programs available for downloading onto the wireless device;

notifying the server immediately upon completion of the downloading of each of the one or more data files sent from the server;

receiving user input of one or more selected application programs to download;

receiving an estimate of time to download the selected application programs from the server;

providing an output of the estimated time;

one or more servers, each server programmed to perform operations over a wireless network comprising:

during the ~~receiving by the one or more wireless devices,~~ ~~exchanging,~~ measuring, ~~at the one or more servers,~~ one or more data transfer rates;

utilizing the one or more measured data transfer rates and the size of the selected one or more application programs to estimate a length of time required to download the one or more application programs onto the wireless device; and

sending the time estimate to the wireless device;[[.]]

wherein said time estimate is quantitative.

21. (Currently amended) The system of claim 20, wherein the receiving ~~exchanging~~ operation ~~comprising operations of:~~ comprises:

the wireless device sending one or more requests to the server to obtain the data files from the server.

22. (Currently amended) The system of claim 20, wherein the receiving exchanging operation ~~comprising operations of:~~ comprises:

the server initiating a transmission of the data files to the wireless device.

23. (Currently amended) The system of claim 20, wherein the operation of ~~during the exchanging~~ the server calculating one or more data transfer rates further ~~comprising operations of:~~ comprises:

the server dividing a size of each of the one or more data files by a length of time between the server sending each data file to the wireless device, and the wireless device notifying the server of the completed download.

24. (Currently amended) An information exchange system comprising:

one or more wireless devices programmed to perform operations over a wireless network comprising:

receiving exchanging one or more data files with a server, said data files including at least information representing a size of one or more application programs available for downloading onto the wireless device;

during the receiving, exchanging, measuring, at the server, one or more data transfer rates for the exchanging operation;

receiving user input of one or more application programs to download;

utilizing the one or more measured data transfer rates and the size of the selected one or more application programs to estimate a length of time required to download the one or more application programs onto the wireless device;

providing an output of the estimated time; and

one or more servers, each server programmed to perform operations over a wireless network, the operations comprising:

sending ~~exchanging~~ the one or more data files with the wireless device;[[.]]

wherein said estimated time is quantitative.

25. (Original) The system of claim 24, the exchanging operation comprising operations of: the wireless device sending one or more data requests to the server to obtain the data files from the server.

26. (Original) The system of claim 24, the exchanging operation comprising operations of: the server initiating a transmission of the data files to the wireless device.

27. (Currently amended) An information exchange system comprising:

wireless device means for performing operations comprising:

receiving ~~exchanging~~ one or more data files from ~~with~~ a server, said data files including at least information representing a size of one or more application programs available for downloading onto the wireless device;

during the receiving, ~~exchanging~~, measuring, at the server, one or more data transfer rates for the exchanging operation;

receiving user input of one or more application programs to download;

utilizing the one or more measured data transfer rates and the size of the selected one or more application programs to estimate a length of time required to download the one or more application programs onto the wireless device;

providing an quantitative output of the estimated time; and

server means for performing operations comprising:

sending ~~exchanging~~ the one or more data files with the wireless device.

28.-37. (Canceled)

38. (Currently amended) A method of method for estimating a length of time required to download a download file onto a wireless device, comprising the steps of:

receiving, at the wireless device, one or more data files, each containing an associated size field, wherein each associated size field indicates the size of the data file to which it is associated and one data file contains the size of the download file;

measuring, at a server, a length of time required to receive, at the wireless device, each of the one or more data files [[.]] sent from the server;

calculating, at the server, a data transfer rate for each of the one or more data files using the size of each of the one or more data files and the measured length of time required to receive each of the one or more data files;

calculating, at the server, a combined data transfer rate using the data transfer rate of each of the one or more data files; ~~and~~

estimating, at the wireless device, the length of time to download the download file using the combined data transfer rate and the received size of the download file; [[.]] and

outputting, on the wireless device, quantitative indication of the length of time.

39.-41. (Canceled)

42. (Original) The method of claim 38, wherein the step of calculating the combined data transfer rate is an averaged based on the calculated data transfer rates of the one or more data files.

43. (Original) The method of claim 38, wherein the step of calculating the combined data transfer rate is a time weighted calculation based on when the one or more data files were received.

44. (Currently amended) A computer-readable medium containing computer-executable instructions for estimating the length of time required to download a download file, that when executed comprise the steps of:

receiving, a wireless device, one or more data files[[:]] sent from a server, each data file containing an associated size field, wherein each associated size field indicates the size of the data file to which it is associated and one data file contains the size of the download file;

measuring, at a server, a length of time required for the wireless device to receive each of the one or more data files[[:]] from the server;

calculating, at the server, a data transfer rate for each of the one or more data files using the size of each of the one or more data files and the measured length of time required to receive each of the one or more data files;

calculating, at the server, a combined data transfer rate using the data transfer rate of each of the one or more data files; ~~and~~

estimating, by the wireless device, a the length of time to download the download file using the combined data transfer rate and the received size of the download file[[:]] and

displaying, at the wireless device, a quantitative indication of the length of time.



45. (Currently amended) A system for estimating the length of time required to download a download file, comprising:

means for receiving, at a wireless device, one or more data files, each containing an associated size field, wherein each associated size field indicates the size of the data file to which it is associated and one data file contains the size of the download file;

means for measuring, at a server, a length of time required to receive each of the one or more data files;

means for calculating, at the server, a data transfer rate for each of the one or more data files using the size of each of the one or more data files and the measured length of time required to receive each of the one or more data files;

means for calculating, at the server, a combined data transfer rate using the data transfer rate of each of the one or more data files; and

means for estimating, at the wireless device, the length of time to download the download file using the combined data transfer rate and the received size of the download file.